

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



COMMUNITY CARE LICENSING DIVISION



UPDATE

October 2007

To the Child Care Community

It's Fall! We are in the fifteenth year of our efforts to keep the child care community informed about licensing programs and services. The Updates continue to be an important method for sharing information. We appreciate your support in sharing these Updates with those in your organization, and others interested in child care issues.

The Updates are available online and can be viewed or obtained at:

http://www.cclid.ca.gov/CommunityC_1726.htm.

You can find the topic of your choice in each Update without having to scroll down. Just go to the Topic Index, put your cursor over the blue highlighted subject heading that you wish to review, hold down the control and shift buttons at the same time, and you will be taken to that area of the Update.

TOPIC INDEX

[NEW DEPARTMENT DIRECTOR](#)

[MANAGEMENT CHANGES IN COMMUNITY CARE LICENSING](#)

[NEW OFFICE LOCATION FOR SAN JOSE REGIONAL OFFICE](#)

[INSULIN INJECTIONS](#)

[CLARIFICATION OF TYPE A DEFICIENCIES](#)

[CHANGE YOUR CLOCK, CHANGE YOUR BATTERY](#)

[SAFETY TIPS FOR TRICK OR TREATERS](#)

[CHILDHOOD OBESITY](#)

[NEW WEBSITE DESIGN](#)

[LICENSED CHILD CARE STATISTICS](#)

[SUMMARY](#)



NEW DEPARTMENT DIRECTOR

We are pleased to report that John A. Wagner is the new Director of the California Department of Social Services (CDSS). The Governor announced his appointment on April 24, 2007. Mr. Wagner has extensive experience in senior policymaking and leadership roles in the field of human services. Most recently, he served as Assistant Secretary for Children, Youth and Families for the Massachusetts Executive Office of

Health and Human Services. As Commissioner for the Massachusetts' Department of Transitional Assistance, he led one of that state's largest agencies and oversaw the administration of cash assistance, shelter, and food programs serving low-income residents. Mr. Wagner's wealth of experience in the human services arena speaks to his enduring commitment to support strong, well-functioning families; to promote the safety, permanency and well-being of children; and to support the ability of vulnerable populations to live in the community.

We also wish to thank Cliff Allenby for his service as Interim Director of CDSS during the prior 18 months. Mr. Allenby has had a long and distinguished career in public service, having previously served in numerous capacities including Director of the Department of Developmental Services, Interim Director of the Department of General Services, chief legislative representative for Los Angeles County, and Secretary of the then Health and Welfare Agency. We wish him well in his future endeavors.

MANAGEMENT CHANGES IN COMMUNITY CARE LICENSING

Earl Nance, Regional Manager of the Chico Regional Child Care Office and the Child Care Units in Rohnert Park, retired on August 31, 2007. Earl has been with our Department for 34 years. He worked in numerous Community Care Licensing Division (CCLD) offices around the State as a Manager for both the Residential and Child Care programs. Earl spent much of his time on the road in recent years driving from Chico to Rohnert Park on a weekly basis in order to cover both offices which spans from Sonoma County to the Oregon Border. He was an invaluable employee for CCLD and we will miss him greatly.

I'm pleased to announce that on September 10th, Linda Kryla was appointed as the new Regional Manager for the Chico Regional Office and the Child Care Units in Rohnert Park.

Linda started working as a Licensing Program Analyst in the San Bruno office in 1991. She worked with CCLD as a Licensing Program Manager I in both Residential and Child Care after 1995. She also worked as a Compliance Officer covering CCLD offices from Santa Barbara to San Francisco, and was part of the Statewide Workload Study Group for the Department. She has been a Manager with the Water Quality Control Board for the last year.

Linda brings a wealth of experience to this position, and we are so happy to welcome Linda back to CCLD as a Licensing Program Manager II.

After 43 years of state service, CCLD loses Tom Hersant to retirement. The Mission Valley Child Care Office and the San Diego child care community will miss Tom. Tom is busy with many family activities and is looking for his next challenge. Best of luck to Tom in his new endeavors.

Robert Gonzalez has been the Regional Manager for the Inland Empire (Riverside and San Bernardino Counties) Child Care Regional Office for the last five years. He has recently accepted a position with the Department of Corrections (Equal Employment Opportunity). It was with great reluctance that he leaves the Child Care community. His presentations and availability to providers and advocacy agencies has contributed greatly to placing a “face” to Community Care Licensing in his catchments. His guidance has assured increased safety for children in care and his legacy will continue as a model to his staff. His change in career path reflects his desire to continue his personal growth and contributions to the California public. His personal presence will be much missed and we all wish him well with his future pursuits.

Both the Mission Valley and the Inland Empire Regional Manager vacancies will be filled in the near future. Recruitment has begun and excellent candidates have been applying. Until permanent appointments can be made, Mary Kaarmaa, Orange County Regional Manager, will be acting for the Mission Valley Regional Office. Colleen Young, Central Coast (Santa Barbara Tri-county area) Regional Manager, will be acting for the Inland Empire Regional Office.

NEW OFFICE LOCATION FOR SAN JOSE REGIONAL OFFICE

The San Jose Regional Office relocated their office a few months ago. For your information, their new contact information is as follows:

2580 N. First Street, Suite 300, MS: 29-08
San Jose, CA 95131
(408) 324-2148, FAX (408) 324-2160

The San Jose office is still managed by Barbara Mordy and covers Monterey, San Benito, Santa Clara and Santa Cruz counties.

INSULIN INJECTIONS

The California Health and Safety Code (HSC), is the law upon which all of the Title 22 Child Care Regulations are based. HSC Section 1596.750 defines child care facilities as facilities that provide non-medical care to children under the age of 18. Allowing a licensed child care provider to provide medical services, such as insulin injections, would be a violation of the HSC, as well as The Business and Professions Code (B&PC), which governs the Medical Practices Act and the Board of Registered Nursing.

Child care providers are required to meet the needs of the clients in care. One condition of placement of a child is that the provider must determine if they can meet the child’s needs. As the licensee can not provide medical care, in this case insulin injections, they may use skilled health professionals, parents, or the parent’s authorized representative, other than the licensee or staff, to meet these particular needs.

One exception to this requirement is that in 1997 HSC Section 1596.797 and B&PC Section 1241 were amended to permit licensed child care providers to administer a finger stick test to a diabetic child if certain conditions were met.

In 2005, after consulting with the Board of Registered Nursing and California School Nurses Association, CCLD allowed the administration of glucagons as a life saving, emergency measure for a child diagnosed with diabetes. Licensees/providers who choose to administer glucagons to a child may do so under specified conditions provided they request and receive an exception for each child from CCLD.

The regulations and the law do not allow the licensing agency to approve the use of insulin injections by the licensee or their staff. As a state agency, CCLD can only operate within the boundaries of applicable laws. Legislative mandates shape the scope of our enforcement activity.

CLARIFICATION OF TYPE A DEFICIENCIES

It is the mission of Community Care Licensing to promote the health, safety, and quality of life of each person in community care through the administration of an effective, collaborative regulatory enforcement system.

All licensed child care facilities are expected to be in full compliance with all licensing laws and regulations. It is the responsibility of the licensee to comply with the regulatory requirements. A random sample of 30% of licensed facilities is visited each year. A Licensing Program Analyst (LPA) will make an unannounced visit to conduct a comprehensive evaluation of your facility. When an LPA makes an unannounced visit, a report will be written that will note any deficiencies cited.

There are two types of deficiencies:

- ✓ **Type A:** are violations of the regulations and the Health and Safety Code that, if not corrected, have a direct and immediate risk to the health, safety or personal rights of those in care.
- ✓ **Type B:** are violations of the regulations and the Health and Safety Code that, without correction, could become an immediate risk to the health, safety or personal rights of children.

While the list below is not exhaustive, the following are examples of violations that are always considered Type A because the violation is such that if it is not immediately corrected, will have a direct and immediate risk to the health, safety, or personal rights of children in care:

- ✓ **Fire Safety** – Violations of fire clearance regulations include over capacity, failure to maintain smoke detectors and/or fire extinguishers.

- ✓ **Criminal Record Clearance** – For all individuals who work, reside or have contact with children, failure to obtain a criminal record clearance or exemption. The presence of an excluded person on facility premises.
- ✓ **Care and Supervision** – Failure to meet staffing ratios; leaving children unattended in vehicles; children wandering from facility; injuries or other incidents attributed to a lack of supervision.
- ✓ **Personal Rights** – Violations that have a direct negative impact on either the physical or emotional well-being of children in care. These include violations such as: physical abuse, sexual abuse, verbal abuse, neglect, withholding of food and water, and use of corporal punishment.
- ✓ **Buildings and Grounds** – Accessible bodies of water (no approved fence or cover for bodies of water), accessible fire arms or ammunition or both, accessible poisons and toxic substances, broken or sharp edges on play equipment and other items determined to be dangerous to children in care.
- ✓ **Telephones** – Failure to have a working telephone on the facility premises.
- ✓ **Refused entry** - to a facility or part of a facility of a duly authorized officer, employee, or agent of the department during day care hours of operation.
- ✓ **Health Related Services** – Failure to treat injuries or illness and/or summon emergency medical personnel or a physician for injuries or illness.
- ✓ **Statutorily Mandated Immediate Civil Penalties** – Any violation of law that requires assessment of an immediate civil penalty.

If you are cited for a Type A deficiency, you will be expected to correct the deficiency immediately, whenever possible, or within 24 hours.

For more information, please visit the CCLD website at www.cclld.ca.gov . Our website has self-assessment guides for Child Care Centers and Family Child Care Homes. Complete regulations are also available on the website. You can always contact your local Licensing Regional Office and speak with the Duty Officer of the day to answer any specific questions about child care licensing. Our offices are open Monday through Friday from 8:00 a.m. until 5:00 p.m.

CHANGE YOUR CLOCK, CHANGE YOUR BATTERY

November 3rd is Day Light Savings Time. Don't forget to change your clocks to fall back one hour on November 3rd! And while you're changing your clocks, it's a great time for you to change your smoke detector batteries too. According to local fire

authorities, each year roughly 65 percent of home fire deaths result from fires in homes that have inoperable smoke detectors or no smoke detectors. Smoke detectors fail most often because of missing, disconnected or expired batteries. Although not a licensing requirement, local fire authorities recommend that smoke detectors be tested once a month, and batteries changed twice a year. Also, don't forget that fire/disaster drills must be practiced with your day care children at least once every six months. Since Day Light Savings Time occurs every six months, this would also be a good time to plan your practice drills.

SAFETY TIPS FOR TRICK OR TREATERS

Halloween and Harvest Day can be a very exciting and fun occasion for those families who choose to participate in the festivities. However, a fun night can turn into a very negative experience if certain precautions are not taken to ensure the health and safety of our children during inside activities, as well as on the streets. There are a number of websites that are full of tips and information on costumes, pumpkin carving, home safety, safety on the trick-or-treat trail, and nutrition. To mention a few reliable resources:

The American Academy of Pediatrics:

<http://www.aap.org/advocacy/releases/octhalloween.htm>

The National Safety Council: <http://www.nsc.org/library/facts/halloween.htm>

Centers for Disease Control and Prevention:

<http://www.cdc.gov/women/owh/halloween/#related>

The American Red Cross:

<http://www.redcross.org/services/hss/tips/october/octtips.html>

The Food and Drug Administration: <http://www.fda.gov/oc/opacom/kids/treats.html>

CHILDHOOD OBESITY

With California leading the way in preventing childhood obesity, Governor Arnold Schwarzenegger and President Bill Clinton announced, on September 19th, their partnership with the Alliance for a Healthier Generation to inspire America's youth to develop lifelong healthy habits. Initiatives like the Alliance for a Healthier Generation are providing the framework for a healthier America. Please take the time to view the website of the [Alliance for a Healthier Generation](#) where you will find valuable resources for schools and parents, including helpful tools and training, integration ideas, and helpful tips on nutrition and exercise.

Use the Healthy Schools Product Calculator to determine if a snack food or side item meets the Alliance's Guidelines for Competitive Foods. The science-based and age-appropriate Guidelines promote nutrient-rich foods, fat-free and low-fat dairy products and place limits on calories, fat, saturated fat, trans fat, sugar and sodium. [Launch the calculator.](#)

NEW WEBSITE DESIGN

The Internet has become our primary means of communication with the various external constituencies we serve, as well as the more than 4,000 employees within the California Department of Social Services (CDSS). We provide important programs and service delivery, in addition to a wealth of useful information that is often difficult to locate on our website.

Governor Schwarzenegger has implemented a new service-oriented design with a common look-and-feel for all state organizations. The design is intended to improve the usability of California's state government web sites, comply with California's new accessibility standards, and allow visitors to more easily find the information they are seeking or conduct their business with the state online. Over the past year, a CDSS Internet Workgroup has been working to redesign and streamline its current websites in an effort to meet the Governor's directive and to make CDSS web sites more simplistic and user-friendly. The CDSS project will involve migrating all CDSS Internet pages to the new design around the first of the year, so be on the look-out for a new look-and-feel for CCLD websites. [California's home page](#) has already been converted to the new look-and-feel.

LICENSED CHILD CARE STATISTICS

Enclosed are the most recent [statistics on licensed child care facilities and capacities](#). Further breakouts by category and location are available.

SUMMARY

If you have questions about items included in this Update, or suggestions for future topics, please contact Gloria Merk, Program Administrator, Child Care Program Office, at (916) 229-4500. You may also visit our internet website at www.cclcd.ca.gov to obtain copies of licensing Updates, office locations, provider letters, regulations, forms, the Licensing Evaluator Manual, or to learn more about licensing programs and services.

Sincerely,

(original signed by J Frederick)

JO FREDERICK

Deputy Director

Community Care Licensing Division

Enclosures